Serial No. 09/282,764
Atty Dkt: GTE-99-808

REMARKS

Claims 6-25 are pending. Claims 6-25 are rejected. Claims 9 and 18 are amended. This Response is filed in reply to the Final Office Action dated May 18, 2004.

Amendments to the claims are not an acquiescence to any of the rejections. Furthermore, silence with regard to any of the Examiner's rejections is not an acquiescence to such rejections. Specifically, silence with regard to Examiner's rejection of a dependent claim, when such claim depends from an independent claim that Applicants consider allowable for reasons provided herein, is not an acquiescence to such rejection of the dependent claim(s), but rather a recognition by Applicants that such previously lodged rejection is moot based on Applicants' remarks and/or amendments relative to the independent claims (that Applicants consider allowable) from which the dependent claim(s) depends. Applicants reserve the option to further prosecute the same or similar claims in the instant or a subsequent application. The amendments place the application in condition for allowance and do not raise new issues or necessitate the undertaking of any additional search, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Thus, it is respectfully requested that the amendments be entered. Upon entry of the Amendment, claims 6-25 are pending in the present application.

The issues of the subject Office Action are presented below with reference to paragraph markings of the Office Action:

With regard to the Office Action, paragraphs entitled "Claim Rejections - 35 U.S.C. §103:" The Examiner rejected claims 6-25 under 35 U.S.C. §103(a) as being unpatentable over Herz et al., U.S. Patent No. 5,754,938, (referred to hereafter as Herz) in view of Kramer et al., U.S. Patent No. 6,327,574 (referred to hereafter as Kramer).

Applicants traverse the Examiner's rejection under 35 U.S.C. §103(a), and respectfully request reconsideration in view of the amendments and remarks.

Herz relates to customized identification of desirable objects, such as news articles, in an electronic media environment (col. 1, lines 16-18). Herz discloses

constructing a "target profile" for the objects and a "target profile interest summary" for each user (col. 1, lines 19-24). Herz then evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing of target objects most likely to be of interest to each user (col. 1, lines 26-29). Herz is said to enable a user to access target objects of relevance and interest to the user without requiring the user to expend an excessive amount of time and energy (col. 4, lines 38-41).

With respect to claim 6, Applicants recite a method for targeting advertisements, including defining at least one category as containing documents that may be retrieved and associating at least one supercategory with multiple categories (including the at least one category) by mapping the multiple categories to the at least one supercategory. The method also includes associating an advertisement with at least one of the supercategories, with the advertisement being separate from the documents contained in the at least one category. The method further includes determining at least one term associated with a user search query; determining a first of the at least one supercategory based on at least one term of the user search query and the multiple categories of the at least one supercategory; and displaying an advertisement associated with the first supercategory.

The Examiner contends that Herz teaches a method for targeting advertisements that includes defining a cluster as containing target object documents that can be retrieved; associating a cluster with multiple subclusters; associating an advertisement with target object X, the advertisement being separate from the documents contained in the cluster. As recognized by the Examiner, Herz does not teach associating an advertisement with at least one of the supercategories. The Examiner contends, however, that Kramer teaches associating an advertisement (an illumination) with at least one of the supercategories (the children's books aggregate attribute), and that Kramer recognizes the problem of selecting the best ad from many candidates and suggests that a solution is to first associate an ad with a supercategory.

Kramer is directed to the modeling of consumer attributes for targeting content in a privacy preserving manner. According to Kramer, consumer profiles are developed and maintained with information reflecting the consumer's online and offline transactions.

The Examiner appears to characterize the "children's books aggregate attribute" as being a supercategory. Applicants respectfully disagree with this characterization. In a first instance, Kramer does not disclose that "children's books" is an aggregate attribute. Rather, Kramer discloses that the aggregate attribute is "children" (col. 32, line 35). In addition, Kramer describes hierarchical attribute vectors comprising a number of scalars, where each scalar, or aggregate attribute, is associated with a selected plurality of lower level attributes (col. 22, lines 17-39).

As recited in claim 6, at least in part, Applicants' method includes defining a category as containing documents that may be retrieved, and associating a supercategory with multiple categories. Applicants submit that the scalar values, or aggregate attributes described in Kramer clearly do not disclose or suggest categories containing documents that may be retrieved, or supercategories associated with multiple categories. Rather, the aggregate attributes in Kramer are defined as groupings of lower level attributes. Since Kramer does not disclose the supercategories recited in Applicants' claim 6, it follows that the combination of Herz and Kramer does not disclose associating an advertisement with at least one of the supercategories. Further, since Herz does not associate an advertisement with a supercategory and Kramer does not disclose Applicants' supercategories, it follows that Herz, alone or in combination with Kramer, fails to teach or suggest displaying an advertisement associated with a first supercategory.

Based on the above, claim 6 is allowable and reconsideration of the rejection of claim 6 under 35 U.S.C. §103(a) is respectfully requested. Claims 7-14 depend directly or indirectly from claim 6 and are allowable, at least by dependency. Claim 15 recites, at least in part, a computer program comprising machine executable code machine executable code for associating an advertisement with at least one of the supercategories, the advertisement being separate from the documents contained in the at least one category. Claim 24, recites, at least in part, an apparatus comprising means for associating an advertisement with at least one of the supercategories, the advertisement being separate from the documents contained in the at least one category. For the reasons provided in the above remarks with respect to claim 6, claims 15 and 24 are allowable, and reconsideration

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of the rejection of claims 15 and 24 under 35 U.S.C. §103(a) is respectfully requested. Claims 16-23 and 25 depend directly or indirectly from claims 15 and 24, respectively and are allowable, at least by dependency.

With respect to claim 7, the Examiner has provided a citation contending to show that Herz teaches ranking to determine a first supercategory. However, Herz discloses decomposing non-numeric attributes into numeric attributes, such that attribute values of different objects can be ordinally ranked (col. 13, lines 62-66) for use in clustering. Ranking of attribute values does not disclose Applicants' ranking of supercategories. While the recitations provided by the Examiner with respect to claim 7 show that Herz discloses clustering (col. 7, lines 35-39; col. 24, lines 12-45), the clustering described therein does not rank supercategories, but rather discloses: a) dividing the set of all target objects into clusters (top down clustering); or b) grouping objects into progressively larger clusters until all objects are grouped into one cluster (bottom up clustering. Neither top down nor bottom up clustering discloses ranking of supercategories.

Based on the above, Herz does not teach or suggest ranking supercategories and claim 7 is allowable. Claim 16 recites machine executable code for ranking supercategories and claim 25 recites means for ranking supercategories. Accordingly, claims 16 and 25 are allowable. Reconsideration of the rejection of claims 7, 16 and 25 under 35 U.S.C. §103(a) is respectfully requested.

With respect to claims 9 and 18, the Examiner contends that Herz teaches target objects comprising publicly traded stocks and mutual bonds, which are businesses and that such a collection of target objects constitutes a listing. As amended, Applicants' claims 9 and 18 recite that the documents include business information taken from listings in at least one directory of businesses. Herz does not disclose that the documents can include information taken from listings in a business directory. The stocks and bonds described by Herz are not taken from, nor do they constitute, business directory listings. Thus, Herz does not teach or suggest that documents include business information taken from listings in at least one directory of businesses. Thus claims 9 and 18 are allowable

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and reconsideration of the rejection of claims 9 and 18 under 35 U.S.C. §103(a) is respectfully requested.
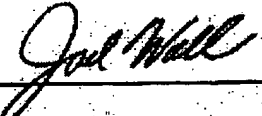
Based on the distinctions described herein between the cited references and Applicants' independent and dependent claims, Applicants respectfully suggest that Herz, alone or in combination with Kramer, does not anticipate Applicants' method, computer program product, and/or apparatus for targeting advertisements. Reconsideration of the rejections under 35 U.S.C. 103(a) is respectfully requested.

CONCLUSION

Based on the above amendments and remarks, it is respectfully submitted that the claims and thus this application are in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (972) 718-4800.

Respectfully submitted,

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